

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16837 of 2016

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1. Naga Singh @ Nagendra Narain Singh and Ors son of Late Parichhan Singh
 2. Manoj Kumar Singh
 3. Pramod Kumar Singh
 4. Arbind Kumar Singh 2 to 4 son of Nagendra Naraina Singh @ Naga Singh & All resident of Village- Jammunia, P.S. Pipara Kesaria District- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Commissioner Tirhut Division, Muzaffarpur.
3. DCLR Chakia P.S.- Pipra Kasaria East Champaran.
4. Circle Officer Chakia P.S.- Pipra East Champaran.
5. Ram Swaroop Reout @ Ram Swaroop Rai, Son of Ramawtar Raut, Village- Jamunia, P.S.- Pipara Kesharia, District- East Champaran.

... .. Respondent/s

Appearance :

For the Petitioners	:	Ms. Sweta Raj, Advocate
For the Respondents	:	Mr. Md.Khurshid Alam-AAG12
		Mrs. Nutan Sahay, AC to AAG 12
For Respondent No.5	:	Mr. Narendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 15-09-2022 Heard the parties.

The courts/authorities i.e. Deputy Collector, Land Reforms Chakia, East Champaran; Commissioner, Tirhut Division, Muzaffarpur and the Bihar Land Tribunal have given their concurrent findings against the petitioners.

Considering the concurrent findings of facts, this Court is not interfering in the matter as no illegality has been pointed out by learned counsel for the petitioners in the manner of consideration of the case of the petitioners.



In writ jurisdiction against the concurrent findings of facts, this Court will not examine the facts again and again. Moreover, the Chairperson of the Bihar Land Tribunal, Patna in paragraph 8 of the judgment dated 4.10.2014 passed in B.L.T. Case No. 604 of 2013 has held as follows:-

“8. On perusal of these sale deeds, I find that the land, which were transferred through these sale deeds are of Khata No. 248 and 249 not the land of Khata No.360, plot No. 32. These sale deeds do not justify the claim of present petitioners over the disputed land even if the petitioners are claiming that the grandfather or grandmother of opposite party have transferred land in their favour. The remedy of the petitioners lies before the competent civil court where they can pray for declaration of their right, title and interest over the land. Pendency of Title Appeal No. 33/2010 as such could not have adversely affected the merit of the claim of opposite party no. 1 Land, which is the subject matter of this application is not the land mentioned under the schedule of the same.”

In view of the above, this application is dismissed with observations that the petitioners can move the competent Civil Court for declaration of their right, title and interest over land in question as has been held by the Bihar Land Tribunal.

This application is dismissed with cost.

(Sandeep Kumar, J)

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